

**FOR THE SOUTHERN DISTRICT OF TEXAS
HOUSTON DIVISION**

UNITED STATES OF AMERICA
Plaintiff,

V.

**AYMAN JARRAH, A/K/A DAVID
YURMAN, and LAND GUARDIAN,
INC., formerly d/b/a GASLAMP,
Currently d/b/a MIDTOWN 360**

Defendants.

[illegible]

CIVIL ACTION NO. 4:16-CV-02906

**PLAINTIFF UNITED STATES' MOTION FOR STAY
IN LIGHT OF LAPSE OF APPROPRIATIONS**

The United States of America (“United States”), through undersigned counsel, hereby moves for a stay of the upcoming Status Conference and Trial in the above-captioned case.

1. At midnight on January 19, 2018, the continuing resolution that had been funding the Department of Justice expired and appropriations to the Department lapsed. The Department does not know when funding will be restored by Congress.

2. Absent an appropriation, Department of Justice attorneys are prohibited from working, even on a voluntary basis, except in very limited circumstances, including “emergencies involving the safety of human life or the protection of property.”

31 U.S.C. § 1342.

3. At the direction of the Attorney General, undersigned counsel for the United States therefore request a stay of the February 2, 2018 Status Conference (ECF 38) and the March 12, 2018 Trial in this case until Congress has restored appropriations to the Department of

Justice. The United States further requests that the aforementioned Status Conference and Trial date be re-set after Congress has restored appropriations to the Department of Justice.

4. If this motion is granted, undersigned counsel will notify the Court as soon as Congress has appropriated funds for the Department of Justice. The Government requests that, at that point, the aforementioned settings for the parties be extended (and re-set) commensurate with the duration of the lapse in appropriations.

5. Opposing counsel has authorized counsel for the Government to state that defendants have no objection to this motion.

Therefore, although we greatly regret any disruption caused to the Court and the other litigants, the Government hereby moves for a stay of the February 2, 2018 Status conference and March 18, 2018 Trial in this case until Department of Justice attorneys are permitted to resume their usual civil litigation functions.

Dated: January 22, 2018

Respectfully submitted,

RYAN K. PATRICK
United States Attorney
Southern District of Texas

s/ Jimmy A. Rodriguez
JIMMY A. RODRIGUEZ
Assistant United States Attorney
Southern District of Texas
Texas Bar No. 24037378
Federal ID No. 572175
1000 Louisiana, Suite 2300
Houston, Texas 77002
Tel: (713) 567-9532
Fax: (713) 718-3303

s/ Elise Sandra Shore
SAMEENA S. MAJEED, Chief
TIMOTHY J. MORAN, Deputy Chief
ELISE SANDRA SHORE
Georgia Bar No. 557131
KATHRYN E. LEGOMSKY
California Bar No. 275571
Trial Attorneys
Housing and Civil Enforcement Section
Civil Rights Division

jimmy.rodriguez2@usdoj.gov

U.S. Department of Justice
950 Pennsylvania Avenue N.W., NWB
Washington, D.C. 20530
Phone: (202) 305-0070
Email: Elise.Shore@usdoj.gov

Attorneys for Plaintiff United States

CERTIFICATE OF SERVICE

I hereby certify that on January 22, 2018, I electronically filed and served the foregoing on all counsel of record using the District's CM/ECF system.

/s/ Elise Sandra Shore

ELISE SANDRA SHORE
Trial Attorney
Housing and Civil Enforcement Section